

#9 1642

PTO/SB/21 (08-00)

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**TRANSMITTAL
FORM**

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/915,746	
	Filing Date	July 26, 2001	
	First Named Inventor	Jing MA	
	Group Art Unit	1642	
	Examiner Name	To be assigned	
Total Number Of Pages In This Submission	11	Attorney Docket No.	532732000101

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declarations	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return postcard
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<input checked="" type="checkbox"/> Information Disclosure Statement; PTO form 1449; and 57 references	<input type="checkbox"/> Request for Refund	
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Remarks



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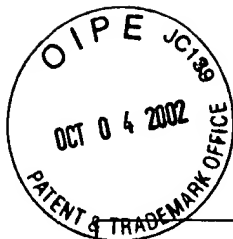
Firm or Individual Name	Peng Chen; Registration No. 43,543 Morrison & Foerster LLP 3811 Valley Centre Drive, Suite 500; San Diego, CA 92130-2332
Signature	
Date	September 25, 2002

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Jose Luna

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#9

PATENT
Docket No. 532732000101

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Jose Luna

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Jing MA and Yajun GUO

Serial No.: 09/915,746

Filing Date: July 26, 2001

For: METHOD AND COMPOSITION FOR
DIAGNOSIS OF MELANOCYTIC
LESIONS

Examiner: To be assigned

Group Art Unit: 1642

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents, numbers 19, 27, 47, and 57, were previously submitted in an Information Disclosure Statement and/or Office Action, directed to the related application Serial Number 09/451,353, filed December 1, 1999, and, accordingly, copies are not included herewith. Copies of all other documents are submitted herewith. This protocol conforms with 37 C.F.R. §1.98(d) and

M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

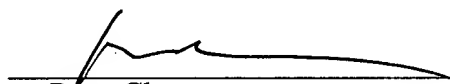
Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 532732000101. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 25, 2002

Respectfully submitted,

By: 
Peng Chen
Registration No. 43,543

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Form PTO-1449

Docket Number 532732000101

Application Number 09/915,746

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Jing MA and Yajun GUO

Filing Date July 26, 2001

Group Art Unit 1642

Mailing Date September 26, 2002

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	05/1987	RE 32,417	Burchiel et al.	424	1.1	
	2.	07/1977	4,036,945	Haber	424	1	
	3.	01/1982	4,311,688	Burchiel et al.	424	1	
	4.	09/1984	4,472,371	Burchiel et al.	424	1.1	
	5.	10/1984	4,478,815	Burchiel et al.	424	1.1	
	6.	10/1984	4,478,818	Shell et al.	424	14	
	7.	03/1988	4,732,864	Tolman	436	547	
	8.	06/1993	5,223,409	Ladner et al.	435	69.7	
	9.	05/1994	5,317,091	Subramanian	424	1.53	
	10.	12/1995	5,475,096	Gold et al.	536	23.1	
	11.	06/1996	5,530,101	Queen et al.	530	387.3	
	12.	01/1997	5,595,877	Gold et al.	435	6	
	13.	08/1997	5,660,985	Pieken et al.	435	6	
	14.	12/1997	5,693,762	Queen et al.	530	387.3	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	15.	12/1997	WO 97/47271	WIPO			
	16.	02/1998	WO 98/04282	WIPO			
	17.	04/1998	WO 98/16238	WIPO			
	18.	06/1998	WO 98/24884	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

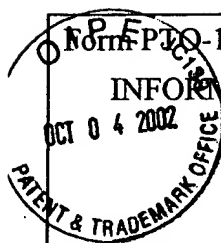
Examiner Initials	Ref. No.	Title
	19.	Aamdal et al. "Immunomagnetic Detection of Melanoma Cells in Bone Marrow and Blood"

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DATE CONSIDERED:

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Form PTO-1449		Docket Number 532732000101	Application Number 09/915,746
INFORMATION DISCLOSURE CITATION IN AN APPLICATION <i>(Use several sheets if necessary)</i>		Applicant Jing MA and Yajun GUO	
		Filing Date July 26, 2001	Group Art Unit 1642
		Mailing Date September <u>26</u> , 2002	
		Melanoma Research 7(Suppl. 1):S35 (1997)	
20.	Adema et al. "Molecular Characterization of the Melanocyte Lineage-Specific Antigen gp100" J Biol. Chem. 269:20126-20133 (1994)		
21.	Argenyi et al. "S100 Protein-Negative Malignant Melanoma: Fact or Fiction? A Light-Microscopic and Immuno-Histochemical Study" Am. J. Dermatopathol. 16:233-240 (1994)		
22.	Brooks et al. J. "Subtractive Immunization Yields Monoclonal Antibodies that Specifically Inhibit Metastasis" Cell Biol. 122(6):1351-1359 (1993)		
23.	Cochran et al. "Detection of S100 Protein as an Aid to the Identification of Melanocytic Tumors" Int. J. Cancer 30:295-297 (1982)		
24.	Cohen et al. "Production and Characterisation of an Antimelanoma Monoclonal Antibody KBA.62 Using a New Melanoma Cell Line Reactive on Paraffin Wax Embedded Sections" J. Clin. Pathol. 48:826-831 (1995)		
25.	Colombari et al. "Distribution of Melanoma Specific Antibody (HMB-45) in Benign and Malignant Melanocytic Tumors" Virchows Archiv. A Pathol Anat. 413:17-24 (1988)		
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27.	Emery and Harris. "Strategies for Humanizing Antibodies" Chapter 6 In <u>Antibody Engineering</u> 2 nd Ed. pp.159-183 (1995)		
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30.	Gatter et al. "An Immunocytochemical Study of Malignant Melanoma and its Differential Diagnosis from Other Malignant Tumors" J. Clin. Pathol. 38:1353-1357 (1985)		
31.	Giorno. "A Comparison of Two Immunoperoxidase Staining Methods Based on the Avidin-Biotin Interaction" Diag. Immunol. 2:161-166 (1984)		
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33.	Guo et al. "Inhibition of Human Melanoma Growth and Metstasis In Vivo by Anti-CD44 Monoclonal Antibody" Cancer Res. 54:1561-1565 (1994)		
34.	Hachisuka et al. "Immuno-Histochemical Study of S100 Protein and Neuron Specific Enolase (NSE) in Melanocytes and the Related Tumors" Acta Histochem. 80:215-223 (1986)		
35.	Harlow and Lane. "Immunoaffinity Purification" Chapter 13 In <u>Antibodies- A Laboratory Manual</u> Cold Spring Harbor Laboratory pp.511-552 (1988)		
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EXAMINER:		DATE CONSIDERED:	
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Form PTO-1449		Docket Number 532732000101	Application Number 09/915,746
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Applicant Jing MA and Yajun GUO	
		Filing Date July 26, 2001	Group Art Unit 1642
		Mailing Date September 26, 2002	

37.	Herrera and Hancock. "Specificity of Antibody HMB-45" Arch. Pathol. La. Med. 116:900-901 (1992)
38.	Irie et al. "Regression of Cutaneous Metastatic Melanoma by Intralesional Injection with Human Monoclonal Antibody to Ganglioside GD2" Proc. Natl. Acad. Sci. USA 83:8694-8698 (1986)
39.	Kindblom et al. "S100 Protein in Melanocytic Tumors. An Immuno-Histochemical Investigation of Benign and Malignant Melanocytic Tumors and Metastases of Malignant Melanoma and a Characterization of the Antigen in Comparison to Human Brain" Acta. Pathol. Microbiol. Immunol. Scand. 92:219-230 (1984)
40. ✓	Köhler et al. "Derivation of Specific Antibody Producing Tissue Culture and Tumor Lines by Cell Fusion" Eur. J. Immunol. 6:511-519 (1976)
41. ✓	Mackie et al. "Use of NK1 C3 Monoclonal Antibody in the Assessment of Benign and Malignant Melanocytic Lesions" J. Clin. Pathol. 37:367-372 (1984)
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48.	Shi et al. "Antigen Retrieval in Formalin-Fixed, Paraffin-Embedded Tissues: An Enhancement Method for Immuno-Histochemical Staining Based on Microwave Oven Heating of Tissue Sections" J. Histochem Cytochem. 39:741-748 (1991)
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50.	Smoller. "Immunohistochemistry in the Diagnosis of Melanocytic Neoplasms" Pathology: State of the Art Reviews 2:371-383 (1994)
51.	Springall et al. "The Value of S100 Immunostaining as a Diagnostic Tool in Human Malignant Melanomas. A Comparative Study Using S100 and Neuron-Specific Enolase Antibodies" Virchows Arch. Pathol. Anat. Histopathol. 400:331-343 (1983)
52.	Stefansson et al. "Distribution of S100 Protein Outside the Central Nervous System" Brain Res. 234:309-317 (1982)

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Docket Number 532732000101

Application Number 09/915,746

Applicant

Jing MA and Yajun GUO

OCT 04 2002

(Use several sheets if necessary)

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Group Art Unit 1642

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53.	Stefansson et al. "S100 Protein in Human Chondrocytes" <i>Nature</i> 295:63-64 (1982)
54.	Sun et al. "Antibody HMB-45 Identifies the Cells of Blue Nevi. An Immuno-Histochemical Study on Paraffin Sections" <i>Am. J. Surg. Pathol.</i> 14:748-751 (1990)
55.	Swerdlow et al. "Risks of Second Primary Malignancy in Patients with Cutaneous and Ocular Melanoma in Denmark, 1943-1989" <i>Int. J. Cancer</i> 61:773-779 (1995)
56.	Tabuchi et al. "A S100 Protein in Human Glial Tumors. Qualitative and Quantitative Studies" <i>Aca Neurochir Wien</i> 65:239-251 (1982)
57.	Trefzer et al. "SM5-1: A New Monoclonal Antibody Which is Highly Sensitive and Specific for Melanocytic Tumors" <i>Journal of Dermatological Science</i> 16(Suppl. 1):S110 (1998)
58.	Vanstapel et al. "New Sites of Human S100 Immunoreactivity Detected with Monoclonal Antibodies" <i>Am. J. Clin. Pathol.</i> 85:160-168 (1986)
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61.	Williams et al "Subtractive Immunization Techniques for the Production of Monoclonal Antibodies to Rare Antigens" <i>Biotechniques</i> 12:842-847 (1992)

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